duct, general immorality or such act of crime or vice as may show him unfitted for the confidence reposed in him, as an attorney, will be sufficient ground for disbarment. *Ex parte Cole,* Fed. Cases No. 2973 (1 McCrary 405). It is not necessary that the offense should be indictable, but acts merely affecting moral character will not justify disbarment. *Baker* v. *Commonwealth,* 73 Ky. (10 Bush) 592. An attorney may be considered unfit to practice his profession if he conducts himself so as to bring the courts into public contempt. *In re Woolley,* 74 Ky. (11 Bush) 95. The courts have a common-law right to determine who shall practice before them, and this right is not taken away by a statute enumerating grounds for disbarment. *In re Mills,* 1 Mich. 392; *State* v. *Laughlin,* 10 Mo. App. 1; the contrary, however, has been held in *Ex parte Smith,* 28 Ind. 47; *Kane* v. *Haywood,* 66 N. C. 1; *In re Eaton,* 4 N. D. 514, 62 N. W. Rep. 597. The principal case may be distinguished from *In re Burnette,* 78 Pac. Rep. 440, reported in 3 MICH. LAW REV., 232, by the fact that in that case (where the accused failed to appear) there was disbarment without evidence, while in this case evidence was introduced which established the accusations.

CHATTEL MORTGAGES—LIABILITY OF MORTGAGEE FOR SELLING MORE PROPERTY THAN ENOUGH TO SATISFY DEBT.—Defendant in error gave to plaintiff in error a chattel mortgage on certain property to secure a debt. When plaintiff in error foreclosed the chattel mortgage, he received, from the sale of the property, several hundred dollars more than enough to satisfy his claim. This excess, however, he failed to turn over to defendant in error, whereupon the latter brought action for conversion. *Held,* that plaintiff in error had a right to sell a sufficient amount of the property to pay his chattel mortgage and reasonable costs, but that having sold a greater amount, he was liable for conversion. *Skow* v. *Locke* (1904), — Neb. —, 101 N. W. Rep. 340.

In arriving at its decision, the court follows *Omaha Auction & Storage Co.* v. *Rogers,* 35 Neb. 61, 52 N. W. 826. The same principles were adhered to in *Griswold* v. *Morse,* 59 N. H. 211, where the court held that a mortgagee is liable for conversion when he sells a part of the mortgaged chattels after having already sold sufficient to pay the debt and costs. To the same effect are *Thompson* v. *Currier,* 24 N. H. 237; *Hutchins et al.* v. *King,* 1 Wall. 53; *Stromberg* v. *Lindberg,* 25 Minn. 513. *Contra, Ingalls* v. *Vance,* 61 Vt. 582, 18 Atl. 452. However, the fact that more of the mortgaged property is sold than is sufficient to satisfy the debt will not make the sale void. *Keating* v. *Hannenkamp,* 100 Mo. 161, 13 S. W. 89. When upon the exercise of a power of sale, contained in a chattel mortgage, there remains unsold some of the mortgaged property over and above that which was sufficient to satisfy the mortgage debt, there is an implied agreement that the part so unsold shall be turned over to the mortgagor. *Kohn et al.* v. *Dravis,* 94 Fed. 288, 36 C. C. A. 253. The mortgagee holds the unsold property for the mortgagor and is bound to surrender it to him on demand, but the mortgagee is not bound to return the unsold property to the premises of the mortgagor. *Campbell* v. *Wheeler,* 69 Ia. 588, 29 N. W. 613. In case only a part of the mortgaged property is sold and the net amount realized from the sale is not sufficient to

discharge the mortgage debt and costs, the chattels unsold are not released from the chattel mortgage, but there is still a lien on them for the sum remaining unpaid. *First Nat. Bank of DeSmet* v. *Northwestern Elevator Co.*, 4 S. Dak. 409, 57 N. W. 77; *Rose* v. *Page*, 82 Mich. 105, 46 N. W. 227; *Hopkins* v. *McCrillis et al.*, 158 Mass. 97, 32 N. E. 1026. In the foreclosure of a chattel mortgage, a sale of all the mortgaged goods is not necessary if the sale of part of the property will pay the debt and costs of the sale; for, in that case, there is a termination of the right of the mortgagee to possession and an extinguishment of his title. *Moore* v. *Ryan*, 31 Mo. App. 474; *Bellamy* v. *Doud*, 11 Ia. 285; *Charter* v. *Stevens*, 3 Denio (N. Y.) 33, 45 Am. Dec. 444.

CONFLICT OF LAWS—COMITY—EXTRATERRITORIAL EFFECT OF LAWS.—Plaintiff brought an action to quiet title in and to a certain town lot to which he alleges he holds the legal and the equitable title; to his petition the defendant filed an answer charging that plaintiff's title is in fraud of the rights of the defendant for the reason that his grantors were officers of the defendant corporation and conveyed to plaintiff a title which rightfully belonged to defendant and by cross-petition asked that plaintiff's title be cancelled. The plaintiff's demurrer raising the question of the capacity of defendant to maintain the action was overruled. *Held*, error: to invoke the doctrine of comity, a corporation must have existence and some right in the country of its domicile. *Myatt* v. *Ponca City Land & Improvement Co.* (1904), — Okla. —, 78 Pac. Rep. 185.

It was originally decided in the case of *Bank of Augusta* v. *Earle* (1839), 13 Pet. 591, that a corporation can have no legal existence out of the boundaries of the sovereignty by which it was created. It exists only in contemplation of law and by force of law; and where the law ceases to operate and is no longer obligatory the corporation can have no existence. *Commonwealth* v. *Standard Oil Co.*, 101 Pa. 119; *North British Mercantile Co.* v. *Craig*, 106 Tenn. 621; *Chapman* v. *Hallwood Cash Register Co.* — Texas Civ. App. — (1903), 73 S. W. Rep. 969; *Diamond Glue Co.* v. *United States Glue Co.*, 103 Federal, 838. It does not follow, however, that its existence will not be recognized in other places; and its residence in one state creates no insuperable objection to its power of contracting in another. *Canada Southern Ry. Co.* v. *Gebhard*, 109 U. S. 527; *Pinney* v. *Nelson*, 183 U. S. 144. In the silence of any positive rule, affirming or denying or restraining the operation of foreign laws, courts of justice will presume the tacit adoption of them by their own government unless they are repugnant to its policy, or prejudicial to its interests. STORY, CONFLICT OF LAWS, 37. This is comity. *Stowe* v. *Belfast Savings Bank*, 92 Federal 90, 96; *Cole* v. *Cunningham*, 133 U. S. 107. Neither constitutions, nor statutes have any intrinsic force, ex propria vigore, beyond the territory of the sovereignty which enacts them, and the respect which is paid to them elsewhere depends on comity alone. SEDGWICK, STATUTORY AND CONSTITUTIONAL LAW, 59, 60; *Blanchard* v. *Russell*, 13 Mass. 1; *Kanaga* v. *Taylor*, 7 Ohio St. 134; *McLean* v. *Hardin*, 3 Jones Eq. 294; THOMPSON, CORPORATIONS, § 7881. Whether a state can validly authorize a body corporate to transact business out of its own territory is a disputed question. THOMP-